

(3/22/2010) Maria NEYRA - RE: Levis - Protective Order

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**From:** "Stellmach, William (USANYS)" <William.Stellmach@usdoj.gov>  
**To:** "Gloria Briceno" <GBriceno@royblack.com>  
**CC:** "Maria NEYRA" <MNEYRA@royblack.com>  
**Date:** 10/23/2009 3:39 PM  
**Subject:** RE: Levis - Protective Order

We'll take care of getting it delivered. Thanks.

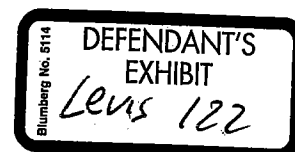
-----Original Message-----

**From:** Gloria Briceno [mailto:GBriceno@royblack.com]  
**Sent:** Friday, October 23, 2009 12:08 PM  
**To:** Stellmach, William (USANYS)  
**Cc:** Maria NEYRA  
**Subject:** Levis - Protective Order

Good afternoon Mr. Stellmach,

Attached is a cover letter and the protective order as you requested.  
Kindly advise if we need to mail an original to Judge Griesa or if the copy will suffice. Thank you.

Gloria Briceño, Paralegal  
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October 23, 2009

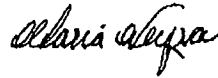
Honorable Thomas P. Griesa  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1630  
New York, New York 10007-1312

RE: United States v. Mario S. Levis,  
Case No. 08-Cr-181 (TPG)

Dear Honorable Judge Griesa:

In regards to the Board of Governor's Federal Reserve discovery outstanding, the parties have agreed to the proposed protective order enclosed. The government seeks, without objection from the defendant Mario S. Levis, to make disclosure of "confidential information" under the terms proposed. We thank you for your consideration.

Most respectfully,



Maria Neyra

cc: AUSA William Stellmach  
AUSA Jason Anthony  
AUSA Daniel Braun

MN/gb

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA

:

-v-

:

PROTECTIVE ORDER  
ON CONSENT

MARIO S. LEVIS,  
a/k/a "Sammy" Levis,"

:

08 Cr. 181 (TPG)

Defendant.

:

- - - - - x

Upon the application of the United States of America, Preet Bharara, Acting United States Attorney, by William Stellmach and Daniel Braun, Assistant United States Attorneys, and Jason M. Anthony, Special Assistant United States Attorney, and with the consent of the defendant, MARIO S. LEVIS, a/k/a "Sammy Levis," by and with the consent of his attorneys, Roy Black, Esq., Howard Srebnick, Esq., and Maria Neyra, Esq.,

IT IS HEREBY ORDERED:

1. Documents provided to the United States Attorney's Office for the Southern District of New York by the Board of Governors of the Federal Reserve System may be disclosed to the defendant by the Government pursuant to Fed. R. Crim. P. 16 and are deemed "confidential information."

2. Confidential information disclosed to the defendant or his counsel during the course of proceedings in this action:

a. Shall be used by the defendant and his attorneys only for purposes of this criminal action;

b. Shall not be disclosed in any form by the defendant or his attorneys except as set forth in paragraph 2(c) below;

c. May be disclosed by the defendant or his attorneys only to the following persons (hereinafter "designated persons"): (i) all personnel employed full-time or part-time by the defendant's attorneys and their law firm; (ii) independent expert witnesses or advisors retained by the defendant or his attorneys in connection with this criminal action; (iii) transactional witnesses or their counsel, to the extent deemed necessary by defense counsel for trial preparation; and (iv) such other persons as hereafter may be authorized by the Court upon such motion by the defendant or his attorneys. Copies of documents containing confidential information may not be given to or remain in the custody of transactional witnesses.

3. The defendant and his attorneys shall provide a copy of this Order to the designated persons to whom they disclose confidential information pursuant to paragraph 2(c). Designated persons shall be subject to the terms of this Order.

4. All documents subject to this Protective Order must be returned to the United States Attorney's Office at such time as they are not needed in this action, at the end of the criminal proceedings, or upon Order of the Court, whichever occurs first.

5. The provisions of this Order shall not be construed as preventing the disclosure of any information to any Judge or Magistrate Judge of this Court for purposes of this action.

6. In the event any confidential information is included with, or in any way disclosed in, any pleading, motion or other paper filed with the Court, such confidential information

shall be filed under seal and kept under seal by the clerk until further order of the Court. Copies of confidential information served upon opposing counsel shall be placed in a sealed envelope labeled : "CONFIDENTIAL INFORMATION SUBJECT TO PROTECTIVE ORDER."

7. The parties may use any confidential information at any hearing in this litigation and at trial, provided that the party seeking to use the confidential information gives notice to counsel for the Board of Governors of the Federal Reserve System (the "Board") ten (10) business days prior to such proposed use; except that, where ten business days' notice is not possible (either because the hearing is scheduled to occur in less than ten business days or because the need for the confidential document could not reasonably have been apparent sooner to the party seeking to use the document), counsel for the Board shall nonetheless be given reasonable notice sufficient to allow an opportunity to seek a protective order.

Dated: New York, New York  
October \_\_, 2009

SO ORDERED:

HONORABLE THOMAS P. GRIESA  
UNITED STATES DISTRICT JUDGE